

UNITED STATES DISTRICT COURT
THE DISTRICT OF MASSACHUSETTS

PAULA O'DONNELL

Plaintiff

v.

Civil Action No. 05-11257-NG

DONNA BOGGS*, BRENDAN HALL,
WILLIAM FRANCIS, MARY LOU MEGAN
and MARIAN DOUCETTE

Defendants

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Pursuant to Fed. R. Civ. P. 56, Defendants Donna Boggs, Brendan Hall, William Francis, Mary Lou Meighan and Marion Doucette move for summary judgment dismissing Plaintiff's claims against them in their entirety on the grounds that Plaintiff's claims of tortious interference with contractual relations implicate the collective bargaining agreement ("CBA") that governs the employment relationship between Plaintiff and her former employer. As such, Plaintiff's claims are subject to complete preemption by § 301 of the Labor Management Relations Act (29 U.S.C. § 185).

In support of this Motion, Defendants state as follows:

- (1) As to these issues there is no genuine dispute of material fact; and
- (2) On the undisputed material facts, Defendants are entitled to summary judgment as a matter of law.

* Defendant Donna Boggs was incorrectly identified in defendants' Notice of Removal as Donna Briggs.

In conjunction with this Motion, Defendants submit the accompanying materials:

- (1) Memorandum of Law in Support of Defendants' Motion for Summary Judgment.
- (2) Statement of Undisputed Material Facts in Support of Defendants' Motion for Summary Judgment.
- (3) Affidavit of Harvey Weiner with Exhibits 1-18.

For the reasons given above and in the accompanying materials, the Defendants' Motion for Summary Judgment should be granted, and judgment should enter dismissing all claims.

REQUEST FOR ORAL ARGUMENT

Defendants request oral argument.

DONNA BOGGS, BRENDAN HALL,
WILLIAM FRANCIS, MARY LOU
MEIGHAN and MARION DOUCETTE,

By their attorneys,

/s/ Harvey Weiner

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